

REMARKS

Claim Rejections – 35 USC § 103

Claims 3-5, 7-8, 10, 14-20, 23-25, 27-28, and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al. (hereinafter “Franklin”, 6,125,352) in view Yang, et al. (hereinafter Yang”, 6,301,586).

The present invention is directed to photographers that take images at events, such as weddings, graduations, athletic contests or parties or other gatherings with the intent of styling image products to customers and others interested in the event. A problem often encountered with such situations is that after the event only individuals that would be interested in purchasing images go to geographically dispersed locations. This often requires the need to physically send prints to customers at various locations in order for them to decide which images to purchase. The present invention solves this and many associated problems by providing a system where the photographer captures images and places them into a server where the photographer sequences and labels the images for review by customers over a public network using client browsers. The present invention not only allows this remote access of images by individuals over a public network, but also provides the images in a form, i.e. label and sequencing, which makes it easier for the potential purchaser to review the images. The Examiner has rejected claims 3-5, 7, 8, 10, 14-20, 23-25, 27, 28 and 30-34 under 35 U.S.C. 103(a) as being unpatentable over Franklin et al in view of Yang, et al for reasons set forth in paragraph 3. In this regard the Examiner in the Official Action states:

“As per Claims 32-34, Franklin teaches a computer method for storing and saving electronic photographic images, wherein Franklin teaches:

providing access to a server having picture memory adapted to store said electronic photographic images obtained by a photographer at an event, an ordering interface and a communication link for allowing communication over a public network (at least col. 4, lines 15-43; col. 10, lines 17-28)”.

The Examiner at page 3 then states that Franklin fails to explicitly teach the server for providing access to the electronic photographic images stored in the picture memory by the photographer and customers of the photographer, an ordering interface providing access to an image profiler only by the photographer and/or host of the event adapted to sequence and caption the stored electronic photographic images for display to the customers of the photographer.

The Examiner then goes on to state that this would have been obvious in view of Yang.

First, Applicant would like to specifically point out that Franklin fails to teach and suggest a number of items as acknowledged by the Examiner. In particular, Franklin fails to disclose the following items:

1. memory adapted to store electronic photographic images;
2. that the images are obtained by a photographer;
3. that these images are obtained at an event
4. that these are accessed by the photographer and customers of the photographer;
5. the providing of an image profiler that is accessible only by the photographer or host of the event;
6. and that the profiler is adapted to sequence and caption the stored electronic images.

Clearly, the Franklin reference fails to disclose numerous limitations set forth in independent claims 32, 33 and 34.

The Examiner relies on Yang for providing the missing elements set forth above. However, Yang is directed to a system for managing multimedia objects, such as text images found in video clips by an individual. There is no teaching or suggestion of providing access to a server having picture memory adapted to store the electronic photographic images obtained by a photographer at an event and ordering interface and a communication link for allowing communication over a public network, the server providing access to the electronic photographic images stored in the picture memory by the photographer and customers of the photographer, and ordering interface, which provides access to an image profiler only by the photographer and the host of the event adapted to sequence and caption that is stored by photographic images for display to customers of the photographer.

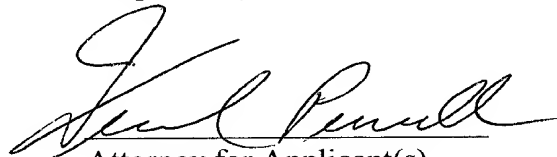
The Yang, et al reference is simply directed to managing digital objects by an individual. There is no teaching or suggestion of capturing images at an event by a photographer as set forth by Applicant in independent claims 32, 33 and 34. Further, there is no reason why one would combine Yang, et al with Franklin. In particular, the Franklin reference is directed to on-line shopping, whereas, the

Yang, et al is directed to an individual organizing digital objects. Furthermore, neither of these references teach or suggest capturing of images by a photographer at an event; providing access to an image profiler only by a photographer or host of the event and the ability for the photographer to provide a sequence and caption of the stored electronic photos for display to the customers, as claimed by Applicant.

Failure to disclose any of these claim limitation is a basis to overturn the rejection. Applicant respectfully submits that the prior art fails to teach or suggest the invention as set forth by the independent claims. In addition, claim 33 includes the additional limitation of producing a hard-copy rendition of the subset of electronic photographic images after receiving an order. There is no teaching or suggestion of providing such by either of the cited references.

In summary, Applicant respectfully submits that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank Pincelli', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.